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Letter dated 27 June 2001 from the Director a.i. of the International Labour Organization Liaison Office addressed to the Secretary-General

On behalf of the Director-General of the International Labour Organization, I have the honour to refer to his letter dated 9 March 2001 to the President of the Economic and Social Council (E/2001/48) concerning a proposal to include an additional agenda item, entitled "Measures to be taken for the implementation by Myanmar of the recommendations of the ILO Commission of Inquiry on Forced Labour", in the substantive session of 2001 of ECOSOC, as contained in document E/2001/51.

I have the honour to indicate the outcome of the recent consideration of the matter at the eighty-ninth session of the International Labour Conference in June 2001.

The Conference adopted a report on the application by Myanmar of the 1930 Forced Labour Convention (No. 29), further to the resolution adopted by the International Labour Conference at its eighty-eighth session (2000), concerning the application of article 33 of the Constitution of the ILO.

The report recalled that an ILO Commission of Inquiry had called upon the Government to halt all use of forced or compulsory labour, to amend its legislation to render the practice illegal, and to punish all those who imposed forced labour. The report noted that the provisions adopted by the Myanmar authorities in 1999 and 2000 were a relevant but insufficient basis for improving legislation as previously noted by the ILO Committee of Experts on Application of Conventions and Recommendations.

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The conditions spelled out by the Committee of Experts should be applied in good faith, and further measures would be needed to ensure that this was in fact done.

The Conference welcomed the Government of Myanmar's decision to resume cooperation with the ILO. In this connection, an understanding for an objective assessment of the situation of forced labour following measures announced by the Government of Myanmar had been concluded in May 2001. The results of this objective assessment which was to be carried out by a High-Level Team in September-October 2001 were to be brought before the Governing Body at its November 2001 session. It was pointed out that this was only a beginning.

The High-Level Team should: (a) have sufficient authority to programme its activities; (b) have an appropriate composition which will allow the work to be distributed among its members; (c) be selected within the sole discretion of the Director-General; (d) be able to carry out its investigation in all the places in the country which it considered necessary to visit; and (e) have unrestricted access to all necessary sources of information. Those people who provided information to the Team must enjoy full protection.

The Governing Body will assess the report of the High-Level Team at its November 2001 session in order to consider what further steps were necessary to be taken at that time by the Government or by the ILO, and recalled that the Government should provide a detailed report to the Committee of Experts at its next session on all measures taken to ensure observance of the Convention in law and in practice.

The ILO would be grateful if this information could be brought to the attention of the delegations to the July 2001 substantive session of ECOSOC with the intention that it would assist the deliberations of the Council.

(Signed) Gareth Howell
Director a.i.